

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

BRANDI TURNER KENNEDY

PLAINTIFF

V.

CIVIL ACTION NO. 1:25-CV-00001-DAS

ITAWAMBA COUNTY JAIL, et al.

DEFENDANTS

ORDER DISMISSING CASE WITHOUT PREJUDICE

This matter comes before the Court, *sua sponte*, for consideration of dismissal. On January 3, 2025, Plaintiff Brandi Turner Kennedy, proceeding *pro se*, filed the instant action challenging the conditions of her confinement pursuant to 42 U.S.C. § 1983. Doc. # 1. On January 22, 2025, the Court entered an Order directing Plaintiff to either complete and return an application to proceed *in forma pauperis* (“IFP”) or, in the alternative, to pay the filing fee for this action. *See* Doc. # 4. That Order required Plaintiff to take such actions within twenty-one (21) days. *See id.* The Order further warned that failure to comply with these requirements may lead to the dismissal of this action. *See id.*

On February 10, 2025, Plaintiff returned an Acknowledgment of Receipt confirming she had received the aforementioned Order. *See* Doc. # 9. The Court subsequently entered an Order on February 20, 2025, directing Plaintiff to show cause within fourteen (14) days why her case should not be involuntarily dismissed as provided by Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with an order of the court. *See* Doc. # 10. Plaintiff failed to respond to the show cause order and the time for doing so has passed. To date, Plaintiff has both failed to complete and return an IFP application or, in the alternative, pay the filing fee for this action. Accordingly, the instant case is hereby **DISMISSED without prejudice** for Plaintiff’s

failure to prosecute and failure to comply with an order of the Court.

SO ORDERED, this the 14th day of March, 2025.

/s/ David A. Sanders

DAVID A. SANDERS

UNITED STATES MAGISTRATE JUDGE